

EXHIBIT 8

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LINCOLN JONES, JR. and
MUYESSER NILE JONES,
individually and as trustees
of the Lincoln and M. Nile
Jones Revocable Trust; and
PROJECT SENTINEL, INC.,

Plaintiffs,

vs.

Case No.
CV 13-02390 LHK PSG

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Defendant.

_____ /

VIDEOTAPED 30(B)(6) AND PERSONAL
DEPOSITION OF ANN MARQUART
VOLUME I
PAGES 1 to 167

DATE: Friday, July 25, 2014

TIME: 10:38 a.m.

LOCATION: Carlson Calladine & Peterson, LLP
353 Sacramento Street, 16th Floor
San Francisco, California

REPORTED BY: SHELLEY M. SAILOR
California CSR No. 10254

MBreporting
111 Deerwood Road, Suite 200
San Ramon, CA 94583
(925) 989-6080

Jones v. Travelers

10:38	<p>1 THE VIDEOGRAPHER: Good morning. We are on</p> <p>2 the record in the matter of Jones versus Travelers</p> <p>3 venued in the U.S. District Court for the Northern</p> <p>4 District of California, San Jose Division. Case</p> <p>5 number is CV 13-02390 LHK PSG.</p>
10:38	<p>6 Today's date is July 25th, 2014, and the</p> <p>7 time is 10:38 a.m. We are located at the offices of</p> <p>8 Carlson Calladine & Peterson, 353 Sacramento Street,</p> <p>9 16th Floor, San Francisco, California.</p>
10:38	<p>10 This is media number one, Volume I of the</p> <p>11 deposition of Ann Marquart. The videographer is</p> <p>12 Steve Patapoff on behalf of MBreporting.</p>
10:39	<p>13 Counsel, please state your name and whom</p> <p>14 you represent.</p>
10:39	<p>15 MR. COOPER: Michael Cooper for defendant.</p> <p>16 MS. CRISTOL-DEMAN: Liza Cristol-Deman with</p> <p>17 Elizabeth Brancart on behalf of plaintiffs.</p>
10:39	<p>18 THE VIDEOGRAPHER: Will the court reporter</p> <p>19 please swear in the witness.</p>
10:39	<p>20 ANN MARQUART,</p> <p>21 called as a witness and, having been by me duly</p> <p>22 sworn, was thereupon examined and testified as</p> <p>23 hereinafter set forth.</p>
10:39	<p>24 EXAMINATION BY MR. COOPER</p> <p>25 Q. Would you please state your name for the</p>

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	1	record.
	2	A. Ann Marquart.
	3	Q. And, Ms. Marquart, have you ever had your
	4	deposition taken before?
10:39	5	A. Yes, I have.
	6	Q. On how many occasions?
	7	A. More than five. I don't know how many.
	8	Q. So you're somewhat familiar with the
	9	process.
10:39	10	A. Yes, I am.
	11	Q. Have you had your deposition taken in the
	12	last five years?
	13	A. Yes, I have.
	14	Q. On how many occasions?
10:39	15	A. A couple occasions.
	16	Q. Was this all in connection with your work
	17	at Project Sentinel?
	18	A. Yes, it was.
	19	Q. All right. Then I won't belabor the
10:40	20	admonitions, if you will, but I will go through a
	21	couple of them real quickly with you.
	22	Umm, first of all, it's important that you
	23	do answer audibly like you're doing. Even though
	24	we're videotaping today, it's important that the
10:40	25	court reporter gets an accurate record, and she

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	1	A. That it could be a very challenging case
	2	and that she was glad to think that Brancarts might
	3	be interested in it.
12:34	4	Q. Anything else did you discuss with her that
	5	you recall?
	6	A. Well, again, the facts of the case.
	7	Q. Right. Other than just the facts that you
	8	have already provided us, is there anything else you
	9	remember about that conversation that either you
12:35	10	said or that Ms. Kirkland said to you other than
	11	just the facts of the case and the comment she made
	12	that it would be a challenging case and she was glad
	13	that the Brancart firm was interested?
	14	A. The concept is a worthy one to pursue.
12:35	15	Q. Did she explain what that "worthy one to
	16	pursue" --
	17	A. Those are my words. Those aren't exactly
	18	her words.
	19	Q. All right. Fair enough. Umm, moving on to
12:35	20	the 16th of May, 2013, you had conversations with
	21	staff regarding best way to generate a mailing list
	22	of rental property owners.
	23	A. Yes.
	24	Q. What was your intent -- what was the
12:35	25	purpose of generating a mailing to rental property

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	1	owners? What was your reasoning behind doing that?
	2	A. To inform them that it could be an
	3	insurance practice that we considered to be a fair
	4	housing violation, and if they have experience with
12:36	5	it, for them to be able to recognize it as such and
	6	to contact us.
	7	Q. And what was the geographical scope, if you
	8	will, of this intended mailing to rental property
	9	owners? Was it Santa Clara County, was it the
12:36	10	entire region that Project Sentinel covered?
	11	A. Well, we were certainly looking at what we
	12	were trying to figure out what options we had. So
	13	certainly we wanted to focus on Santa Clara County,
	14	but our interest was as expansive as we could make
12:36	15	it, too.
	16	Q. And ultimately how expansive was it?
	17	A. Let's see.
	18	Q. We can look at documents if you want to
	19	later. I just want to know if you knew roughly off
12:37	20	the top of your head.
	21	A. I believe we, we mailed some literature to
	22	housing authorities well outside of Santa Clara
	23	County.
	24	Q. This is just -- it says rental property
12:37	25	owners.

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	1	A. Oh. And you're asking what we were
	2	trying to -- rental property owners in Santa Clara
	3	County.
	4	Q. Okay. That was your focus?
12:37	5	A. That was a focus.
	6	Q. Did you intend to include other rental
	7	property owners outside of Santa Clara County?
	8	A. We have -- we have an interest in doing
	9	that, yes.
12:37	10	Q. But I mean at this stage -- was that your
	11	intent with respect to this particular mailing to
	12	rental property owners, was your focus on getting
	13	out the mailings to rental property owners within
	14	Santa Clara County?
12:37	15	A. That was our first focus, yes.
	16	Q. And do you know if that was actually
	17	accomplished, that mailers were sent out to rental
	18	property owners in Santa Clara County?
	19	A. We had some mailing, yes.
12:38	20	Q. Were you able to obtain a list of all the
	21	rental property owners in Santa Clara County?
	22	A. No.
	23	Q. And did you obtain a partial list?
	24	A. We obtained a list of some.
12:38	25	Q. And where did you obtain that list from?

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	1	A. City of Santa Clara.
	2	Q. So would these have been rental -- the list
	3	you obtained, was that a list of the rental property
	4	owners in the city of Santa Clara?
12:38	5	A. Yes.
	6	Q. As opposed to the city of San Jose or
	7	Gilroy or some other place.
	8	A. That's correct.
	9	Q. Did you ever obtain a list of additional
12:38	10	landlords, rental property owners in which to send
	11	flyers to?
	12	A. I'm not sure if we received any other list.
	13	Q. So as far as you recall sitting here today,
	14	that if there were any -- the rent -- the flyers
12:38	15	that were sent to rental property owners would have
	16	been limited to the city of Santa Clara?
	17	A. And I also would want to look through some
	18	of the documents to see if there is an indication of
	19	others.
12:39	20	Q. I understand. I just mean as you're
	21	sitting here today right now.
	22	A. Yeah.
	23	Q. Okay. I don't want to belabor this, but if
	24	you look at May 17 and May 21.
12:39	25	A. Uh-huh.

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	1	Q. There's contacted Jeff Pedersen at the City
	2	of Santa Clara, then sent request to Los Gatos,
	3	Mountain View, San Jose.
	4	Did you ever receive mailing lists? Does
12:39	5	this refresh your recollection at all?
	6	A. Well, I do remember the mailing list from
	7	Santa Clara City very clearly.
	8	Q. Okay, but the other names don't --
	9	A. Well, I remember asking, soliciting the
12:39	10	list from the others, from Mountain View and from
	11	Los Gatos. And I do see here an entry saying
	12	mailing list -- obtained mailing list and it
	13	includes Los Gatos, so we may have mailed some to
	14	property owners in Los Gatos.
12:40	15	Q. Let's mark one more quickly, and then we
	16	can break for lunch.
	17	(Off the record discussion.)
	18	(Exhibit 173 was marked for
	19	identification.)
12:40	20	BY MR. COOPER:
	21	Q. We have marked as Exhibit 173 a document
	22	bearing of the Bate number PS 00342. Handwritten
	23	notations at the top, looks like it says "Travelers
	24	Insurance."
12:40	25	Do you recognize 173?

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	1	A. Yes.
	2	Q. Is this your handwriting?
	3	A. Yes, it is.
	4	Q. Do you remember when you first took
12:40	5	these -- well, let's back it up a little bit.
	6	At the upper half of the page, if you will,
	7	there's some handwritten notations but there's no
	8	date. And then there's a date. It looks like it
	9	says December 12. 12/12/12. December 12, 2012 and
12:41	10	then December 13, 2012. Do you know the date that
	11	the upper portion was written?
	12	A. No.
	13	Q. Would that have been December 7?
	14	A. Umm, you know, I really don't know. I
12:41	15	can't tell you exactly.
	16	Q. If you could -- the upper portion, was this
	17	written by you during a conversation you had with
	18	Mr. and Mrs. Jones?
	19	A. Umm, I probably wrote these words on this
12:41	20	piece of paper afterwards. But -- because it's more
	21	legible.
	22	Q. Okay.
	23	A. But shortly after. And I am not sure about
	24	the dates.
12:42	25	Q. Okay. Was your main -- your primary

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	1	contact, if you will, during this period of late
	2	2012, early 2013, with the Joneses, was it
	3	Mrs. Jones as opposed to Mr. Jones?
	4	A. I only talked to Mrs. Jones.
12:42	5	Q. Okay.
	6	THE REPORTER: 174.
	7	(Exhibit 174 was marked for
	8	identification.)
	9	BY MR. COOPER:
12:43	10	Q. Marked as Exhibit 174 a document bearing
	11	the Bate numbers PS 004 through 7. I would like you
	12	to take a look at Exhibit 174 and tell me if you
	13	recognize this document.
	14	A. I do recognize it.
12:43	15	Q. Okay. What is this document?
	16	A. It's a fax from Mrs. Jones to me regarding
	17	her policy.
	18	Q. Okay. And she's attached some documents
	19	from Travelers on the last three pages --
12:43	20	A. Yes.
	21	Q. -- of this fax?
	22	A. Yes.
	23	Q. And is any of this your handwriting?
	24	A. No. None of it is my handwriting.
12:43	25	Q. And it looks like this fax was sent to you

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	1	on December 14, 2012.
	2	A. Yes.
	3	MR. COOPER: All right. This is probably a
	4	good time to take a break.
12:44	5	MS. CRISTOL-DEMAN: Okay.
	6	MR. COOPER: Now that your sandwiches have
	7	been sitting there.
	8	THE VIDEOGRAPHER: This is the end of tape
	9	number one. The time is 12:44. We are going off
12:44	10	the record.
	11	(Lunch recess was taken from
	12	12:44 p.m. to 1:33 p.m.)
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::: DECLARATION OF WITNESS :::

I hereby declare I am the deponent in the within matter; that I have read the foregoing deposition and know the contents thereof, and I declare that the same is true of my knowledge except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I declare under the penalties of perjury of the State of California that the foregoing is true and correct.

Executed this _____ day of
_____, 201__, at
_____, _____.
(City) (State)

ANN MARQUART

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